

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF MISSISSIPPI  
DELTA DIVISION

UNITED STATES OF AMERICA

PLAINTIFF

VERSUS

NO. 2:05CV175-P-A

ONE 2004 LEXUS ES300 AUTOMOBILE,  
VIN JTHBA30G540004389

DEFENDANT

JUDGMENT OF FORFEITURE

On September 12, 2005, a Verified Complaint For Forfeiture In Rem against the Defendant property, one 2004 Lexus ES300 Automobile, VIN JTHBA30G540004389, was filed on behalf of the Plaintiff, United States of America. The Complaint alleged that the vehicle was property used in violation of 21 U.S.C. § 881, and subject to forfeiture to the United States. The Court upon review of this matter finds as follows:

1. That pursuant to the Warrant For The Arrest Of Property issued by this Court, the United States Marshals Service arrested the Defendant property on October 18, 2005.

2. That notice of the arrest and this forfeiture action was published in the **DeSoto Times** in Hernando, Mississippi on November 1, 2, 4, 8, 9 and 11, 2005, in accordance with law and the procedures of this Court. The proof of the publication of said

notice of arrest by Diane Smith, Clerk of the **DeSoto Times**, is on file in the office of the Clerk of this Court in this cause.

3. As provided by the Legal Notice all persons interested in the Defendant property were required to file their claims with the Clerk of the Court within thirty (30) days of the final date of publication which occurred on November 11, 2005.

4. On December 1, 2005, Gregg Drew, the owner of record of the Defendant property and a possible claimant of the Defendant property, received service by the United States Marshals Service of the Verified Complaint For Forfeiture In Rem and Legal Notice of the arrest of the Defendant property.

5. That on January 6, 2006, the Clerk of the Court properly entered a Default as no claim, answer or defense was filed by said date or within the time permitted by Rule C of the Supplemental Rules for Certain Admiralty and Maritime Claims.

6. According to the Civil Docket for this case, as of January 6, 2006, there has been no claim or answer filed by anyone within the time permitted by Rule C of the Supplemental rules for Certain Admiralty and Maritime Claims.

7. Plaintiff has requested that a judgment of forfeiture be entered. It is, therefore

ORDERED AND ADJUDGED that the Defendant property, one 2004 Lexus ES300 Automobile, VIN JTHBA30G540004389, shall be and is hereby forfeited to the United States of America and no right,

title or interest in the above described Defendant property shall exist in any other person or party.

IT IS FURTHER ORDERED AND ADJUDGED that the Defendant property shall be disposed of according to law. The United States Marshals Service is hereby authorized to pay any and all expenses attributable to the seizure, maintenance, forfeiture and disposition of the Defendant property.

SO ORDERED AND ADJUDGED this the 11<sup>th</sup> day of January, 2006.

/s/ W. Allen Pepper, Jr. \_\_\_\_\_  
W. ALLEN PEPPER, JR.  
UNITED STATES DISTRICT JUDGE